

**FILED**  
Clerk  
District Court

**FEB - 7 2008**

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

JOHN ROBERT DEMOS, JR.,

Plaintiff

v.

THE STATE OF WASHINGTON,  
*et al.*,

Defendants

Civil No. 08-0006

ORDER DENYING IN  
FORMA PAUPERIS  
APPLICATION; DISMISSING  
LAWSUIT; and, CLOSING  
FILE

Petitioner John Robert Demos Jr., a Washington state prisoner, has submitted a petition that the court construes as brought pursuant to 28 U.S.C. § 2254.<sup>1</sup> Demos gives no details relating to his conviction, or any cogent statement why his

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It is extremely difficult to parse petitioner's arguments, but a portion of the relief he seeks is that he "be immediately awarded my release from prison, restraint of his liberty, and set free." (Petition at 10.)

1 conviction or sentence are in violation of the laws of the United States, or why he has  
2 filed this action in the Commonwealth of the Northern Mariana Islands, where he  
3 was neither convicted nor is incarcerated. Demos has also filed an *in forma pauperis*  
4 application.  
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6 Demos has been deemed an abusive litigant. To date, he has filed at least 488  
7 actions in the United States courts. *See* U.S. Party/Case Index, <http://pacer.psc.uscourts.gov>. He is under pre-filing review orders in several of these courts,  
8 including the Western and Eastern Districts of Washington, the Washington state  
9 courts, the Ninth Circuit Court of Appeals, and the United States Supreme Court.  
10 *See, e.g., Demos v. Storrie*, 507 U.S. 290, 291 (1993). The United States District Court  
11 for the Western District of Washington, the district in which Demos is incarcerated,  
12 has a standing order providing for the return without filing of any petition that  
13 Demos files pursuant to §§ 1651, 2253, or 2254, unless the submission is  
14 accompanied by a filing fee. *See Demos v. Stanley*, MS97-0031 (W.D. Wash., March 13,  
15 1997). Additionally, Demos is allowed to submit only three *in forma pauperis*  
16 applications and proposed actions each year in that court. *See In re John Robert Demos*,  
17 MS91-269 (W.D. Wash., Jan. 16, 1982).  
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23 Most important, the present petition is duplicative of a petition filed on  
24 January 10, 2008, in the United States District Court for the Western District of  
25 Washington, *see Demos v. State of Washington, et al.*, 08-mc-00013 JLR (W.D. Wash.,  
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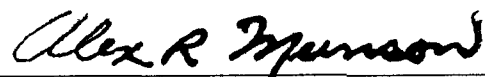
1 Jan.10, 2008), and one filed in the United States District Court for the District of  
2 Hawaii, Civil No. 08-00031-SOM-KSC (January 14, 2008). For that reason, it is  
3 demonstrably frivolous. *See Cato v. United States*, 70 F.3d 1103, 1105 n.2 (9th Cir.  
4 1995) (action is frivolous if complaint “merely repeats pending or previously litigated  
5 claims”).  
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8 This court now dismisses this action for lack of jurisdiction. Demos fails to  
9 name a proper respondent to the petition. *See* Rule 2(a), 28 U.S.C. foll. § 2254; *Stanley*  
10 *v. California*, 21 F.3d 359, 360 (9th Cir. 1994). Demos also fails to bring the petition in  
11 the district where he was either convicted or is confined. *See* 28 U.S.C. § 2241(d);  
12 *Rumsfeld v. Padilla*, 542 U.S. 426, 433 (2004). This court can conceive of no set of  
13 circumstances in which filing in this district would be proper. Accordingly,  
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- 15 1. Demos’s *in forma pauperis* application is denied; and,
- 16 2. Demos’s Petition is dismissed with prejudice; and,
- 17 3. The Clerk is directed to close this case.

18 IT IS SO ORDERED.  
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20 DATED this 7th day of February, 2008.  
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25 ALEX R. MUNSON

26 Judge